

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

7 DUSTON OMAR MILLER,  
8 Plaintiff,  
9 vs.  
10 WILL HUBBARD,  
11 Defendant.

Case No. 2:16-cv-02051-RFB-GWF

**ORDER**

13 This matter is before the Court on Plaintiff's Motion for Status Check (ECF No. 6), filed on  
14 November 17, 2016. Also before the Court are Plaintiff's Motion to Extend Time to Serve (ECF No.  
15 7) and Motion to Waive Service of Process (ECF No 8), filed on November 29, 2016.

16 Plaintiff filed two Applications for Leave to Proceed *In Forma Pauperis* (ECF Nos. 1 and 4)  
17 on August 29, 2016 and September 9, 2016, respectively. Following such an application, the Court  
18 will conduct a screening of Plaintiff's complaint pursuant to 28 U.S.C. § 1915. To date, the Court  
19 has not issued its screening order in this matter and will do so in due course. Therefore, Plaintiff's  
20 motion to extend and motion to waive service are premature as litigation of this matter has not yet  
21 commenced. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Status Check (ECF No. 6 is **granted**.

23           **IT IS FURTHER ORDERED** that Plaintiff's Motion to Extend Time to Serve (ECF No. 7)  
24 and Motion to Waive Service of Process (ECF No 8) are **denied** without prejudice as premature.

DATED this 5th day of December, 2016.

*George Foley Jr.*  
GEORGE FOLEY, JR.  
United States Magistrate Judge